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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Gregg D. Wilensky  
Patent No. : 7,003,061  
Issue Date : February 21, 2006  
Serial No. : 09/747,945  
Filed : December 21, 2000  
Title : IMAGE EXTRACTION FROM COMPLEX SCENES IN DIGITAL VIDEO

Art Unit : 2613  
Examiner : Tung Vo

MAIL STOP PETITIONS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

APPLICATION FOR PATENT TERM ADJUSTMENT UNDER 37 CFR §1.705(d)

Applicants hereby petition for reconsideration of the Patent Term Adjustment (PTA) accorded the above-referenced patent. Attached herewith is a copy of the Issue Notification including a Determination of Patent Term Adjustment under 35 U.S.C. 154(b), mailed February 1, 2006, for the above-referenced patent, which issued on February 21, 2006. The notification, as well as the face of the patent, states that the total Patent Term Adjustment at issuance is 592 days. Reconsideration of the Patent Term Adjustment to decrease Applicant Delay from 201 days to 200 days, and to increase Total PTA from 592 to 593 days, is respectfully requested.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

April 21, 2006

Date of Deposit

Diana Bradley

Diana Bradley

04/27/2006 RMEBRAH1 00000022 7003061

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200.00 OP

### REVIEW OF PATENT TERM ADJUSTMENT CALCULATION

A review of the Patent Term Adjustment History in the PAIR/PALM system shows that the United States Patent and Trademark Office (PTO) calculated the following delays with regard to Patent Term Adjustment (PTA):

- 1) Applicants do not dispute herein the calculated PTO Delay of 760 days for the delayed 14-month first Office Action mailed March 22, 2004.
- 2) Applicants do not dispute herein the calculated Applicant Delay of 30 days for the delayed office action response received by the PTO on July 22, 2004.
- 3) Applicants do not dispute herein the calculated Applicant Delay of 18 days for the Information Disclosure Statement (IDS) received by the PTO on August 9, 2004.
- 4) Applicants do not dispute herein the calculated PTO Delay of 21 days for the delayed final office action mailed December 13, 2004.
- 5) Applicants do not dispute herein the calculated Applicant Delay of 47 days for the delayed office action response received by the PTO on April 29, 2005.
- 6) Applicants dispute the calculated Applicant Delay of 1 day for the Response to Notice of Allowance which was mailed by Express Mail on November 8, 2005 and stamped received in OIPE on November 9, 2005.
- 7) Applicants do not dispute herein the calculated Applicant Delay of 105 days for the Interview Summary faxed on September 6, 2005 and reviewed by the PTO on November 9, 2005.
- 8) Applicants do not dispute herein the calculated PTO Delay of 12 days for not issuing the patent within three years of the filing date.

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Attorney's Docket No.: 07844-484001 / P448

### REMARKS

Applicants mailed a Response to Notice of Allowance by Express Mail on November 8, 2005. The PTO stamp indicates it was received in OIPE on November 9, 2005. The Applicant respectfully requests that the PTO correct the database to show that the Response to Notice of Allowance was received on November 8, 2005, in accordance with 37 CFR §110(a)(1). Copies of the return receipt postcard and the express mail label stamped November 8, 2005 are attached.

Therefore, Applicants respectfully request the removal of 1 day of Applicant Delay accorded due to this entry.

In consideration of the events described above, Applicants believe the PTA calculation of 592 days is incorrect. Applicants kindly request reconsideration of the calculated patent term adjustment to decrease Applicant Delay from 201 days to 200 days, thus increasing the Total PTA from 592 to 593 days.

A copy of each of the following documents is provided herein:

- 1) Issue Notification with Determination of Patent Term Adjustment dated February 1, 2006;
- 2) Return receipt postcard indicating that the issue fee transmittals were received by OIPE on November 9, 2005; and
- 3) Express mail label stamped by the US Postal service on November 8, 2005.

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Enclosed is a check in the amount of \$200.00 for the petition fee. Please apply any additional charges or credits to Deposit Account No. 06-1050.

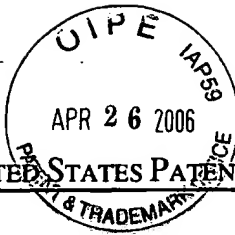
Respectfully submitted,

Date: 4/20/2006



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Reg. No. 50,222

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UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	ISSUE DATE	PATENT NO.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/747,945	02/21/2006	7003061	07844-484001 / P448	3476

21876 7590 02/01/2006  
FISH & RICHARDSON P.C.  
P.O. Box 1022  
MINNEAPOLIS, MN 55440-1022

### ISSUE NOTIFICATION

The projected patent number and issue date are specified above.

**Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)**  
(application filed on or after May 29, 2000)

The Patent Term Adjustment is 592 day(s). Any patent to issue from the above-identified application will include an indication of the adjustment on the front page.

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

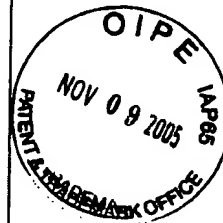
Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571) 272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (571) 272-4200.

APPLICANT(s) (up to 18 names are included below, see PAIR WEB site <http://pair.uspto.gov> for additional applicants):

Gregg D. Wilensky, San Jose, CA;

Attorney's Docket No. <b>07844-484001</b>	Express Mail Label No. <b>EV584758944US</b>	Mailing Date November 8, 2005	<b><i>For PTO Use Only</i></b> <i>Do Not Mark in This Area</i>
Application No. <b>09/747,945</b>	Filing Date December 21, 2000	Attorney/Secretary Init <b>THP/dmb</b>	
Title of the Invention <b>IMAGE EXTRACTION FROM COMPLEX SCENES IN DIGITAL VIDEO</b>			
Applicant <b>Gregg D. Wilensky</b>			
Client Reference No. <b>P448</b>			
Enclosures <ul style="list-style-type: none"> <li>· Transmittal Letter (1 page)</li> <li>· Check in the amount of \$1700.00</li> <li>· Issue Fee Transmittal (Part B, 1 page)</li> <li>· Letter Regarding Patent Term Adjustment (1 page)</li> </ul>			





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